

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LUCY YORK,

Plaintiff,

-against-

THE CITY OF NEW YORK, NYPD OFFICER JORGE
GARCIA, NYPD OFFICER LEONEL O. GIRON, NYPD
OFFICER JUSTIN M. SCHIVEK, NYPD SERGEANT
THOMAS W. QUEVEDO, NYPD ASSISTANT CHIEF
JOSEPH GULOTTA, AND NYPD MEMBER JOHN DOE
1B,

Defendants.

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**STIPULATION AND
ORDER OF
SETTLEMENT OF
ATTORNEY'S FEES,
EXPENSES, AND COSTS**

22 CV 6432 (OEM) (VMS)

WHEREAS, plaintiff Lucy York commenced this action by filing a complaint on or about October 24, 2022, alleging that defendants violated her federal civil and state common law rights; and

WHEREAS, defendant City of New York served plaintiff with an Offer of Judgment pursuant to Fed. R. Civ. P. 68 on July 25, 2024; and

WHEREAS, plaintiff accepted defendant's Rule 68 Offer of Judgment on August 23, 2024; and

WHEREAS, all defendants deny any and all liability arising out of plaintiff's allegations; and

WHEREAS, plaintiff's counsel, Cohen&Green P.L.L.C., represents that plaintiff Lucy York, has assigned all of her rights to attorneys' fees, expenses, and costs to Cohen&Green P.L.L.C.; and

WHEREAS, pursuant to the General Release executed concurrently herewith, plaintiff Lucy York, has assigned her rights to attorneys' fees, costs, and expenses, to her counsel, Cohen&Green P.L.L.C.; and

WHEREAS, counsel for defendants and counsel for plaintiff now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiff's counsel, Remy Green, Esq., the total sum of Thirty-Five Thousand (\$35,000.00) Dollars in full satisfaction of plaintiff's claims for attorneys' fees, expenses, and costs. In consideration for the payment of Thirty-Five Thousand (\$35,000.00) Dollars, counsel for plaintiff agrees to release and discharge defendants City of New York, Jorge Garcia, Leonel Giron, Justin Shivek, Thomas Quevado, Michael Granahan, and Joseph Gulotta; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Plaintiff Lucy York and her counsel, Remy Green, Esq., hereby agree and represent that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, expenses, or costs at any time. Remy Green, Esq. agrees to indemnify and hold harmless the City of New York, Jorge Garcia, Leonel Giron, Justin Shivek, Thomas Quevado, Michael Granahan, and Joseph Gulotta; their successors or assigns; and all past and present officials, employees,

representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs brought by, for, or on behalf of plaintiff Lucy York arising out of, related to, this matter.

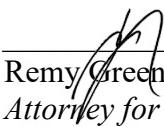
3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

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4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendants and counsels for plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Remy Green, Esq.
Attorney for Plaintiff
Cohen Green, PLLC
1639 Centre Street, Ste. 216
Ridgewood, NY 11385

MURIEL GOODE-TRUFANT
Acting Corporation Counsel of the
City of New York
Attorney for Defendants City of New York
and Jorge Garcia
100 Church Street, 3rd Floor
New York, New York 10007

By: 
Remy Green
Attorney for Plaintiff

By: /s/ Elissa Jacobs
Elissa Jacobs
Senior Counsel

SO ORDERED:

Dated: New York, New York
_____, 2024

HON. ORELIA E. MERCHANT
UNITED STATES DISTRICT JUDGE